From: California Law360
To: bclayton@bakersfieldpd.us
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Law360 California

CALIFORNIA

Monday, May 20, 2019

TOP NEWS

Thousands Of Calif. Attys In Trouble Over Fingerprints

Over 6,200 attorneys in California face escalating penalties this month for missing a deadline to submit new fingerprints to the State Bar in an unpopular push to discover attorneys convicted of crimes.

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The Law Firms Making Millions Off The PG&E Cases

The nation's largest utility company, Pacific Gas and Electric, has paid at least $89 million in the past year in legal fees to firms directly involved with its bankruptcy, civil, criminal and regulatory cases stemming from California wildfires — and the vast majority of that sum has gone to Cravath Swaine & Moore LLP.

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Trump’s Border Wall Faces Skeptical Calif. Judge

A California federal judge appeared open Friday to blocking the Trump administration from repurposing defense funds to build a wall along the southern border, saying he doesn't know if it is right to let the government build the wall before legal challenges to it are resolved.

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9th Circ. Says Tesla Can Arbitrate Worker's Race Bias Claims

A black Tesla employee who says he was constantly subjected to racial epithets, harassment and threats at work and then ignored when he complained must pursue his claims in arbitration, the Ninth Circuit ruled Friday, with the chief judge saying the panel's hand was forced by precedent.

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'Crazy Expensive' Law Firm Wouldn't Return Calls, Jury Told

The wife of a former U.K. attorney who hired Edwards Wildman Palmer LLP to pursue a failed privacy suit against the Daily Mail tabloid told a California jury Friday that the firm did little work, billed "crazy expensive" invoices and failed to return phone calls.

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Analysis

SF Picks Side Of Privacy With Ban On Facial Recognition Tech

The debate over facial recognition is heating up as San Francisco prepares to enact the nation's first ban on the controversial technology, with privacy advocates praising the step and others warning against too harshly limiting a useful tool for guarding public safety.

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Pierce Bainbridge Ends Partnership With Funder Pravati

Litigation boutique Pierce Bainbridge has concluded its partnership with litigation funder Pravati Capital, whose investment helped fuel the young firm's rapid national expansion over the past two years, the parties confirmed Friday.

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LAW FIRMS

Akin Gump
Baker McKenzie
Barnes & Thornburg
Blood Hurst
Bracewell
Caldwell Cassady
California Civil Rights Law Group
Carlson Lynch
Carmen D. Caruso Law Firm
Cohen Milstein
Consovoy McCarthy
Cooley
Cravath Swaine
Davis Polk
Debevoise & Plimpton
Dewey & LeBoeuf
Edwards Wildman
Ellenoff Grossman
Fazio Micheletti
Fenwick & West
Freeman Freeman
Goodwin
Graubard Miller
Greines Martin
Hausfeld
Hogan Lovells
Holland & Knight
Ice Miller
Kabateck LLP

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INSURANCE

Geico Can't Escape Driver's $1M Punitive Damages Award

A California appellate court on Friday affirmed a jury's $1 million punitive damages award against Geico General Insurance Co. over its unreasonable delay in paying an injured policyholder the full limits of his policy following a serious car crash.

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PRODUCT LIABILITY

CVS Ditches False Ad Suit Over Joint Health Pills

CVS Health Corp. can escape a putative class action over claims it falsely advertised its line of CVS Health Glucosamine products, a California federal judge has ruled, finding that the pharmacy giant's packaging complies with federal labeling law, preempting the state law claims asserted in the suit.

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PRIVACY & CONSUMER PROTECTION

CORRECTED: Facebook Advertisers' Inflated Stats Suit Trimmed

A California federal judge on Thursday trimmed a putative class action alleging Facebook bolsters its advertising revenue by inflating the potential estimated reach of ads, but said advertisers can amend their suit to describe exactly how Facebook breached its contractual obligations.

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INTELLECTUAL PROPERTY

'Pepe The Frog' Case Against InfoWars Heads To Trial

A copyright lawsuit filed by the creator of Pepe the Frog — a cartoon that's become an online symbol for the controversial "alt-right" movement — is headed for a jury trial in California federal court after a judge refused to rule that the far-right website InfoWars made fair use of the character.

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YouTube Celeb Logan Paul Sued Over Parody Video

Members of the alt-hip hop band Flobots slapped YouTube personality Logan Paul with a lawsuit Thursday claiming the release of his parody song "No Handlebars," which riffed on their hit song "Handlebars," infringed on their copyright.

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MEDIA & ENTERTAINMENT

Music Industry Execs Denied Claim To Michael Jackson Co.

The Michael Jackson Co. is solely owned by the late entertainer's estate and not by a group of entertainment industry executives claiming the King of Pop promised them partial ownership prior to his death, a California appellate court said Thursday, affirming a lower court's findings.

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EMPLOYMENT

Morgan Stanley's $10M Deal Is Too Low, Advisers Say

A group of former Morgan Stanley financial advisers urged a California federal judge Thursday to reject a $10 million deal proposed last month to settle allegations that the investment bank routinely refused to reimburse them for work-related expenses, arguing the amount is too low and the

Kalbian Hagerty
Katten Muchin
King & Ballow
Kinsella Weitzman
Kirkland & Ellis
Latham & Watkins
Mayer Brown
McCarter & English
McKool Smith
Morgan Lewis
Nixon Peabody
Norton Rose Fulbright
Ogletree Deakins
Orrick Herrington
Outten & Golden
Paul Hastings
Perkins Coie
Pierce Bainbridge
Pine Tillett
Quinn Emanuel
Randazza Legal Group
Robinson Bradshaw
Sandler Reiff
Shearman & Sterling
Sheppard Mullin
Sidley Austin
Skadden
The Law Offices of Neal Brickman
Thornton Law Firm LLP
Valle Makoff
Van Kampen Law PC
Wachtell Lipton
Ward Smith & Hill
Wiley Rein
WilmerHale
Wilson Sonsini
Zuckerman Spaeder

COMPANIES

AT&T Inc.
American Bar Association
American Civil Liberties Union
Apple Inc.
August Capital LLC
Autonomy Corp.
Avantor Inc.
BTI Consulting Group Inc.
Barclays Investment Bank
Bayer AG
Bicycle Therapeutics Ltd.
Borgata Hotel Casino & Spa
Boston Scientific Corp.
CVS Health Corp.
Cable News Network Inc.

release of claims is too broad.
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Widower Wrongfully Denied Husband's Pension, 9th Circ. Says

The Ninth Circuit cleared the way for a widower to receive spousal pension benefits on Thursday, saying a lower court was wrong to deny him benefits on the grounds that the couple were domestic partners when the man's late husband retired.
Read full article »

SECURITIES & WHITE COLLAR

Ex-Skyworks Engineer Arrested On Insider Trading Charges

An engineer who formerly worked at semiconductor maker Skyworks Solutions Inc. turned himself in on Friday to face charges in California federal court that he stole private financial information from his ex-employer, cashed in on illegal trades, and then fled to Taiwan when he was caught.
Read full article »

BENEFITS

Calif. Man Who Threatened FCC Chair's Kids Gets 1.5 Years

A California man who threatened to kill the children of Federal Communications Commission Chairman Ajit Pai was sentenced Friday morning to 20 months in prison, the U.S. Department of Justice has announced.
Read full article »

DEALS

Wachtell, Fenwick Shape Hewlett-Packard's $1.3B Cray Buy

Hewlett-Packard, led by Wachtell, unveiled plans Friday for a $1.3 billion takeover of Fenwick client and supercomputer company Cray as it looks to meet growing data processing needs.
Read full article »

PRIVATE EQUITY

8 Firms Steer 5 IPOs Topping $1B Led By Diamondback Unit

Eight firms will lead five initial public offerings that could raise more than $1.1 billion in combined proceeds during the week of May 20, led by a Diamondback Energy subsidiary's IPO and joined by smaller offerings among blank check and biotechnology companies.
Read full article »

Cooley Guides Venture-Backed Fastly On $180M IPO

Venture-backed cloud infrastructure provider Fastly made its market debut Friday, racking up a $180 million initial public offering that saw the Cooley-led firm price shares at the high end of its range.
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EXPERT ANALYSIS

Key Takeaways From Roundup Verdicts So Far

On May 13, a California jury returned a $2 billion verdict against Monsanto in the third trial over allegations that its popular weedkiller Roundup causes cancer. The Roundup trials highlight the importance of issues including punitive damages, celebrity influence and the value of jury exercises, say attorneys at Wiley Rein.
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The Precarious State Of Public Injunction Waivers In Calif.

Cantor Fitzgerald
Citigroup Inc.
Cornerstone Research Inc.
Cray Inc.
Credit Suisse Group AG
DePuy Synthes Cos.
Diamondback Energy Inc.
Electronic Frontier Foundation
Electronic Privacy Information Center
FTI Consulting Inc.
Facebook
Federalist Society
Geico
Gilead Sciences Inc.
Goldman Sachs Group Inc.
Google Inc.
Hewlett Packard Enterprise Co.
Instagram Inc.
JPMorgan Chase & Co.
Jefferies Financial Group Inc.
Johnson & Johnson
LexisNexis Group
LinkedIn Corp.
Major Lindsey & Africa
Match Group Inc.
Medtronic PLC
Mercury General Corp.
Microsoft Corp.
Mitsubishi Motors Corp.
Monsanto Co.
Morgan Stanley
NASDAQ OMX Group Inc.
National Center for Lesbian Rights
National Conference of State Legislatures
New York Times Co.
Northwestern Mutual Life Insurance Co.
PG&E Corp.
Piper Jaffray Companies
QUALCOMM Inc.
Reed Elsevier
Rent-A-Center Inc.
Sierra Club
Sirius XM Radio Inc.
Skyworks Solutions Inc.
Spotify Technology SA
Starbucks Corp.
State Bar of California
Tesla Inc.
Ticketmaster Entertainment, Inc.
Twitter Inc.

Two years ago, in McGill v. Citibank, the California Supreme Court made arbitration agreements that preclude consumers from seeking public injunctive relief unenforceable. But some federal courts have deviated from that holding so as to make its future uncertain, say Brian Kabateck and Brian Hong of Kabateck.

Read full article »

State Net

Why States And Cities Are Concerned About Census Accuracy

The 2020 census will impact every state, city and county in the United States, because population is a major factor in how the federal government distributes funds. Despite apprehensions about an undercount, there are reasons for optimism about the accuracy of the census, says Lou Cannon of State Net Capitol Journal.

Read full article »

Q&A

A Chat With Gilead Sciences Legal Ops Leader Gary Tully

In this monthly series, legal recruiting experts from Major Lindsey & Africa interview legal industry leaders about the increasingly competitive business environment. Here, Rod Osborne talks with Gary Tully, head of legal operations at Gilead Sciences.

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LEGAL INDUSTRY

Titan Of The Plaintiffs Bar: Caldwell Cassady's Brad Caldwell

If Apple could send people back in time, it would likely make them steer Brad Caldwell away from law school. It probably wouldn't have even been that hard: He'd studied to be an engineer, even worked as one for the CIA, before applying for law school on a whim. There was a very real future in which he didn't become a lawyer, and in that future, Apple might have kept the $1 billion Caldwell bled from it in court.

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4 Blunders Law Firms Make On Social Media

Social media presents law firms with ample opportunity to build their reputation and attract the attention of new clients, but all too often firms end up stumbling in their online marketing strategies, falling face first into social media mediocrity.

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Group Got $17M Secret Donation Ahead Of Kavanaugh Fight

The Judicial Crisis Network received $17 million from an anonymous donor shortly before the fight to confirm Justice Brett Kavanaugh, according to two government watchdog groups that obtained the conservative judicial group's latest tax returns.

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Analysis

Constitutional Crisis? Not Quite, But Courts Could Be Tested

Legal and political scholars agree we are not in a constitutional crisis … yet. But as tensions mount between the president and Congress, the role of the third branch of government could be both crucial and perilous.

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FEC Chair Rips Peers For Nixing Thornton Donation Inquiry

The Federal Election Commission came up two votes shy of moving forward with an investigation into whether Boston-based Thornton Law illegally reimbursed partners for campaign donations, frustrating the commission's chair who worried that FEC inaction could spawn more unlawful activity.

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U.S. Bancorp
VirnetX Holding Corporation
Washington Mutual Inc.
Washington Post Co.
Wells Fargo & Co.
Wilmington Trust Corp.
Woodsford Litigation Funding Ltd.
YouTube Inc.
Young Broadcasting LLC
Zappos.com Inc.

GOVERNMENT AGENCIES

California Department of Justice
California Supreme Court
Central Intelligence Agency
Equal Employment Opportunity Commission
Federal Bureau of Investigation
Federal Communications Commission
Federal Election Commission
Federal Energy Regulatory Commission
Federal Trade Commission
New Jersey Supreme Court
Oregon Department of Justice
Securities and Exchange Commission
Solicitors Regulation Authority
U.S. Attorney's Office
U.S. Census Bureau
U.S. Department of Defense
U.S. Department of Justice
U.S. House of Representatives
U.S. Senate
U.S. Supreme Court

Helping Manafort's Kid Get Skadden Gig No Crime, Craig Says

Former Skadden partner Gregory Craig urged a D.C. federal court Friday to bar the government from introducing evidence that he helped line up a job at Skadden for the daughter of the now-jailed former chairman of the Trump campaign, Paul Manafort.

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Top NJ Federal Judge Bemoans Court's Workload Upon Exit

New Jersey's federal court system outpaced all other district courts in civil case filings over the past year, further burdening a short-staffed bench that's riddled with six vacancies, U.S. District Judge Jose L. Linares said Friday in announcing his departure for private practice.

Read full article »

Robinson Bradshaw Liable For Diversity Promises, Atty Says

Law firms should be held liable for deceptive advertising when they lure minority and female attorneys by talking up their diversity and inclusion efforts and then fail to live up to their promises, according to a Thursday filing in a race bias suit against Robinson Bradshaw & Hinson PA.

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ABA Raises Bar For Law School Accreditation On Third Vote

The American Bar Association on Friday adopted a new standard requiring ABA-accredited law schools to show that at least 75% of graduates pass the bar exam within two years of getting their diplomas, a tightened standard that the organization had rejected twice before.

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GC Cheat Sheet: The Hottest Corporate News Of The Week

General counsel said they think legal operations departments might make lasting progress on diversity and inclusion where others so far haven't succeeded, and the Federal Trade Commission said it's cracking down on companies that buy consumer data gathered through scammers. These are some of the stories in legal news you may have missed in the past week.

Read full article »

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Read full article »

Podcast

Law360's Pro Say: Kavanaugh V. Gorsuch

President Donald Trump's two U.S. Supreme Court appointees have found themselves at odds in a surprising number of cases, most recently in a big ruling this week backing iPhone owners who want to sue Apple. Reporter Jimmy Hoover joins us on the Pro Say podcast to discuss the Apple case and the rift between the court's newest justices.

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Patent Scientist - Biotechnology
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Morrison & Foerster LLP
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Hogan Lovells US LLP
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Corporate Transactional Associate – Los Angeles, CA
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Litigator
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Intellectual Property Associate
Shay Glenn LLP
San Mateo, California

Hogan Lovells - EE/CS IP Litigation Associate, Junior
Hogan Lovells
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